

Remarks

The Office Action of July 28, 2003 has been received and reviewed. With claims 1, 3, 6-21, 28, and 36-38 having been canceled, and claims 39-62 having been added, the pending claims are claims 39-62. Entry and consideration of the new claims are respectfully requested in view of the remarks set forth below.

Amendments to the Specification

Applicant requests entry of the specification amendments described above. These amendments are made to correct minor typographical errors and not to address substantive issues. Entry is respectfully requested.

Examiner's Comments Regarding Withdrawn 35 U.S.C. § 112 Rejection

Applicant notes that the Examiner has withdrawn the previous rejection under 35 U.S. C. 112, 1st paragraph. However, on page 2 of the Office Action, the Examiner asserted that "applicant is prohibited from arguing that the alert is anything more than a change in the conductivity being noticed or the structure for generating an alert being more complex than structure that can convert the measurement into a value that is readable by an operator. Thus any device which displays the measurement inherently meets the claimed structure or step for generating an alert."

Applicant respectfully traverses this asserted result from the comments presented in a previous response. Applicant respectfully submits that in no way did the previously-presented arguments limit the interpretation of the specification and/or the claims of the present invention. The previous response simply provided an example showing the specification was not deficient in the description of structure for providing an alert.

The 35 U.S.C. §102 Rejections

Claims 12, 15-17, and 19-20 were rejected under 35 U.S.C. §102(b) as being anticipated by Hacman (GB 1,151,482) or N.V. Philips (FR 1576658). Claims 12-14, 16, and 20 were

rejected under 35 U.S.C. §102(b) as being anticipated by Tyutnev. While Applicant does not agree with the substance of these rejections, the rejected claims have been canceled herein, rendering their respective rejections moot.

The 35 U.S.C. §103 Rejection

Claims 1, 3, 6-21, 28, and 36-38 were rejected under 35 U.S.C. §103(a) as being unpatentable over Koda in view of Ohlsson or Yuan and Hacman, N.V. Philips or Tyutnev. While Applicant does not agree with the substance of these rejections, the rejected claims have been canceled herein, rendering their respective rejections moot.

The Obviousness-Type Double Patenting Rejection

Claims 1, 3, 6-21, 28, and 36-38 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-57 of U.S. Patent No. 6,479,297. While Applicant does not agree with the substance of this rejection, these claims have been canceled herein, rendering the rejection moot.

New Claims

Applicant respectfully requests entry and consideration of new claims 39-62. It is submitted that these claims find support within the specification, figures, and claims as originally filed.

The new claims are directed to deposition systems and methods for detecting gas phase materials. For example, claim 39 recites a method of detecting a gas phase material. The method includes, among other elements, locating a sensor outside of a reaction chamber. A detection surface of the sensor may be exposed to a gas phase material escaping from the reaction chamber, wherein the gas phase material forms an electrically conductive film on the detection surface. The gas phase material is detected from a change in conductivity between the first and second electrodes with the detector. The method also includes generating an alert based on the detection of the gas phase material.

Amendment and Response

Page 10 of 11

Serial No.:09/388,286

Confirmation No.: 3697

Filed: September 1, 1999

For: DETECTION OF GAS PHASE MATERIALS

Locating the sensor outside a reaction chamber so that it may detect gas that escapes from the chamber and alert nearby personnel to a potential hazard (see, e.g., claim 39-44) is described in the specification, see, e.g., page 8, line 9 - page 9, line 19; Figure 5. The other claim recitations, as well as the subject matter of the other new claims, may also be found in the application as-filed, see, e.g., now-canceled claims 1-38.

It is submitted that the art cited in the present Office Action, either alone or in combination, fails to teach or suggest each and every element of the new claims, e.g., fails to teach location of a sensor outside of a chamber and/or detecting a gas phase material escaping from the chamber. For at least these reasons, entry and consideration of each new claim are respectfully requested.

Amendment and Response

Page 11 of 11

Serial No.:09/388,286

Confirmation No.: 3697

Filed: September 1, 1999

For: DETECTION OF GAS PHASE MATERIALS

Summary

It is submitted that pending claims 39-62 are in condition for allowance and notification to that effect is respectfully requested. The Examiner is invited to contact Applicant's Representatives, at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

Respectfully submitted for

Guy T. Blalock

By

Muetting, Raasch & Gebhardt, P.A.

P.O. Box 581415

Minneapolis, MN 55458-1415

Phone: (612) 305-1220

Facsimile: (612) 305-1228

Customer Number 26813

26 Feb. 2004
Date

By: Matthew W. Adams

Matthew W. Adams

Reg. No. 43,459

Direct Dial (612)305-1227

CERTIFICATE UNDER 37 CFR §1.10:

"Express Mail" mailing label number: EV 201891009 US Date of Deposit: February 26, 2004

The undersigned hereby certifies that the paper(s) are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner for Patents, Mail Stop RCE, P.O. Box 1450, Alexandria, VA 22313-1450.

By: [Signature]

Name: Kelly E. McNulty
